

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

| | | |
|--------------------------------|---|---------------------------------|
| DAMIEN MIKELL, | : | |
| Plaintiff | : | |
| | : | No. 1:11-CV-388 |
| v. | : | |
| | : | Judge John E. Jones, III |
| SHIRLEY R. MOORE et al, | : | M.J. Carlson |
| Defendants | : | |
| | : | (Electronically Filed) |

MOTION FOR EXTENSION TO TIME TO FILE REPLY BRIEF

Defendants, by their counsel, hereby request the Court for an extension until August 14 in which to file their Reply Brief in Support of their Motion for Summary Judgment. In support of this motion the Defendants state as follows:

1. This is a civil rights action filed pursuant to 42 U.S.C. §1983, alleging violations of the Eighth and Fourteenth Amendments regarding the double celling of Plaintiff with another inmate. Doc. 1.

2. Defendants filed a Motion for Summary Judgment, Statement of Material Facts and supporting brief on February 24, 2014. Doc. 99, 101, 102.

3. On March 13, 2014, Counsel Alexandra T. Morgan-Kurtz, Esq. entered her appearance on behalf of the Plaintiff. Doc. 103.

4. Plaintiff's counsel filed a Brief in Opposition to Defendants Motion for Summary Judgment and supporting documents on July 16, 2014. Docs 107, 108.

5. In accordance with the Court's Order dated June 5, 2014, Defendants' Reply Brief is due on July 30, 2014. Doc. 106.

6. Due to undersigned counsel's obligation in other litigation matters including *Borrell v. Bloomsburg University, et al*, 3:12-CV-2123; *Kubic, Bryan v. Allen, et al.*, 1:12-CV-0547; *Dockery v. Wetzel, et al.*, 11-CV-1368, Defendants seek an enlargement of 14 days to file their reply brief.

7. Plaintiff's counsel concurs in this motion to extend the dispositive motion deadline to August 14, 2014.

8. No prejudice to either party will occur as a result of this extension of limited duration.

WHEREFORE, the parties respectfully request the Court grant their motion for extension of time to file reply brief until August 14, 2014.

Respectfully submitted,

KATHLEEN G. KANE
Attorney General

By: *s/Maryanne M. Lewis*
MARYANNE M. LEWIS
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GREGORY R. NEUHAUSER
Chief Deputy Attorney General
Chief, Civil Litigation Section

Date: July 30, 2014

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CERTIFICATE OF CONCURRENCE

I, Maryanne M. Lewis, Senior Deputy Attorney General, hereby certify that I have contacted and obtained concurrence from counsel for the Plaintiff in this motion.

By: *s/ Maryann Mc. Lewis*
Maryanne M. Lewis
Senior Deputy Attorney General

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| | : | |

CERTIFICATE OF SERVICE

I, Maryanne M. Lewis, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on July 30, 2014, I caused to be served a true and correct copy of the foregoing document titled MOTION FOR EXTENSION TO FILE REPLY BRIEF, by ECF to the following:

Alexandra T. Morgan-Kurtz
Pennsylvania Institute Law Project
429 Forbes Avenue, Suite 800
Pittsburgh, PA 15219
Counsel for Plaintiff

/s/ Maryanne M. Lewis
MARYANNE M. LEWIS
SENIOR Deputy Attorney General